United Nations A/HRC/33/63

General Assembly

Distr.: General
22 July 2016
English
Original: French

Human Rights Council
Thirty-third session
Agenda item 10
Technical assistance and capacity-building

Report of the Independent Expert on the situation of human rights in the Central African Republic

Note by the Secretariat

The Secretariat has the honour to transmit to the Human Rights Council the report by the Independent Expert, Marie-Thérèse Keita Bocoum, on the human rights situation in the Central African Republic, submitted pursuant to Council resolution 30/19. The report follows three visits by the Independent Expert and describes the overall evolution of the human rights situation in the Central African Republic together with major developments.

The Presidential election raised great expectations among the population, which is looking forward to the implementation of the Government's programme, especially as regards security and justice.

The security situation is still marked by the heavy presence of armed groups throughout the territory, the threats they pose to the civilian population and to displaced persons living in camps or enclaves, intercommunity tension, issues linked to transhumance, clashes within armed factions, the widespread availability of small arms, surging crime rates, the absence of State authority and the marginalization of the population in the eastern part of the country. At the end of June 2016, the situation was still worsening.

The Independent Expert underscores the importance of giving priority to ensuring the protection of civilians and immediately carrying out the reforms of the security sector that will make it possible to reassure civilians and to launch the other sectoral plans of action.

The Independent Expert encourages the authorities to ensure that the road map and short- and medium-term sectoral plans are operational, with coordinated support from their international partners. The Expert commends the importance given to the implementation of the Republican Pact adopted at the conclusion of the Forum held in Bangui in May 2015, in particular as regards efforts to combat impunity and to foster the inclusion of groups that feel marginalized.

GE.16-12727 (E) 150816 170816

1612727

Please recycle

Report by the Independent Expert on the human rights situation in the Central African Republic

Contents

		Page
I.	Introduction	3
II.	General situation	4
	A. Political context and elections	4
	B. Security context	6
III.	Human rights situation	7
	A. Acts of abuse attributed to armed groups	7
	B. Violations attributed to the national armed forces	9
	C. Minority rights	10
	D. Refugees and internally displaced persons	11
	E. Violence connected with accusation of witchcraft	11
	F. Gender-based violence	12
	G. Situation of children	12
	H. Humanitarian situation and economic, social and cultural rights	13
	I. Violations attributed to the international forces	14
IV.	Transitional justice mechanisms and combating impunity	15
	A. Special Criminal Court	15
	B. Non-judicial mechanisms and reconciliation	15
	C. Court and prison administration	17
V.	Conclusions and recommendations	18
	A. Conclusions	18
	B. Recommendations	19

I. Introduction

1. The present report is submitted in accordance with Human Rights Council resolution 30/19 of 2 October 2015, in which the Council renewed the mandate of the Independent Expert and asked her to submit a written report at its thirty-third session.

2. The report of the Independent Expert covers the period from July 2015 to June 2016, during which time she conducted three visits to the Central African Republic, from 1 to 6 September 2015 and from 1 to 11 March and 10 to 20 June 2016.

3. In September 2015, she participated in an international seminar on efforts to combat impunity in the Central African Republic together with the United Nations High Commissioner for Human Rights. The seminar was organized by the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) and the Office of the United Nations High Commissioner for Human Rights in cooperation with the Ministries of Justice and National Reconciliation.

4. In March 2016, the Independent Expert participated in the inauguration of a research centre for human rights and democratic governance at the law faculty of the University of Bangui.

5. The Independent Expert is grateful to the transitional authorities for their helpfulness and cooperation. She welcomes the willingness of the newly elected authorities, from the outset to work in close partnership and to engage in a frank dialogue on the country's human rights situation and on ways to strengthen national capacities and mechanisms.

6. The Independent Expert met with the President-elect, Faustin-Archange Touadéra, the Prime Minister and several members of the Government, the President of the National Assembly and the members of his executive office and senior representatives of the central and territorial administration, including the prosecutor-general of the Bangui district court and the senior judge, whom she thanks for their cooperation.

7. Discussions were also held with the leadership and the various sections of MINUSCA, United Nations agencies and humanitarian organizations, the force commanders of MINUSCA and Operation Sangaris, and representatives of the diplomatic corps, including the African Group of Ambassadors. The Independent Expert also met with various representatives of civil society, human rights organizations, women's organizations, youth representatives and leaders of the Interfaith Peace Platform and other religious leaders. In addition, she spoke with representatives of political parties and of the main ex-Séléka and anti-balaka armed groups.

8. In addition to Bangui, the Independent Expert visited Bossangoa, north-west of Bangui, Kaga Bandoro, 245 kilometres north of Bangui and Ndélé, in the north of the country. She also conducted visits to the PK-5 Muslim enclave in Bangui, to the Bimbo women's prison and to Ngaragba central prison in Bangui.

9. The Independent Expert extends particular thanks to the Director of the Human Rights Division of MINUSCA and its staff for their support in organizing her visits.

10. The Independent Expert also participated in two interactive dialogues with the Human Rights Council at its thirty-first and thirty-second sessions. During the interactive dialogue of 28 June 2016, she expressed regret that the Government and MINUSCA had been unable to send representatives to attend the discussion on transitional justice. In 2015, the transitional authorities sent the Ministers of Justice and National Reconciliation to attend the dialogue on efforts to combat impunity at which MINUSCA was represented by the Deputy Special Representative of the Secretary-General for the Central African

Republic. Civil society representatives attended both dialogues thanks to the financial support of MINUSCA.

II. General situation

A. Political context and elections

11. The year 2016 was marked by a referendum on the new Constitution and presidential and legislative elections, signalling the end of the political transition that had begun on 18 August 2013 for an initial period of 18 months and which had been extended until the swearing-in of the new President, who was elected on 30 March 2016. The elections received significant backing from MINUSCA and the international community.

12. The period was also marked by an upsurge in violence, the like of which had not been seen since early 2014, during September and October 2015. The violence in the capital left dozens dead and hundreds injured. Violent incidents also occurred in other cities across the country.

13. In early October 2015, the transitional President organized a series of consultations with 400 members of local authorities and political actors in order to find a peaceful solution to the crisis. However, many coalitions of political parties refused to participate, while others denounced the non-inclusive nature of the consultations. Violent incidents continued to occur until late October.

14. In his address to the National Transitional Council, which met on 21 and 22 October 2015, the transitional Prime Minister, Mahamat Kamoun, designated the supporters of former Presidents François Bozizé and Michel Djotodia as the main instigators of the violence. In late November, the transitional Government finally carried out a ministerial reshuffle in response to criticism of the action of the Government during the September crisis.

15. On 9 November, the national electoral authority announced the following electoral calendar: a constitutional referendum scheduled for 13 December, a combined first round of presidential and legislative elections scheduled for 27 December (postponed until 30 December) and a second round of elections scheduled for 31 January 2016.

16. The visit of Pope Francis on 29 and 30 November 2015 had a profound impact on the people of the Central African Republic. In visiting Catholic, Protestant and Muslim religious institutions, he sent a strong message urging all communities to show respect, tolerance and a spirit of reconciliation in dealing with one another. His visit to the PK-5 Muslim enclave was cheered by thousands of residents who followed him peacefully to the stadium. The Pope's unprecedented walk through PK-5 served to dispel fear and to encourage a certain freedom of movement between the Muslim enclave and the other districts of Bangui.

17. On 8 December, the transitional Constitutional Court ruled on the validity of all the candidatures for the presidential election. Of the 44 candidatures received, the Court found 14 to be invalid, including those of former President François Bozizé and the anti-balaka leader Patrice Edouard Ngaïssona, a decision which did not lead to violence in the streets.

18. On 9 December, 25 of the 30 candidates for the presidential election and 45 leaders of political parties pledged to observe a code of good conduct for their participation in the electoral process, which they have by and large respected.

19. The constitutional referendum led to the adoption of a new Constitution, with 93 per cent of the votes cast in favour, and took place peacefully, despite a few incidents. The first

section of the Constitution recognizes the existence of human rights as the basis of every human community and of global peace and justice, respect for rights and fundamental individual freedoms and the separation of powers. The Independent Expert welcomes the removal from the final version of those initial provisions, which would have guaranteed the incumbent President immunity from prosecution except in the case of high treason, and guaranteed former Presidents immunity on account of their capacity as honorary members of the Constitutional Court.

20. The first round of presidential and legislative elections took place on 30 December, having been postponed for three days. Overall, the elections took place peacefully with a turnout of 62.3 per cent. Thanks to the efforts of the Office of the United Nations High Commissioner for Refugees (UNHCR), refugees located in Cameroon, the Congo and Chad were able to participate in the election. However, the Democratic Republic of the Congo did not allow the some 112,000 Central African refugees on its territory to register to vote.

21. In connection with the legislative elections, 415 appeals were lodged, leading the transitional Constitutional Court to invalidate the ballot and to request a new first round of elections to be held. The appeals were based primarily on allegations of irregularities and fraud, corruption and intimidation of voters and candidates.

22. The second round of the presidential election and the new first round of the legislative elections took place on 14 February 2016. Observers noted a marked improvement in the conduct of the ballot, as the majority of polling stations opened on time and were properly equipped. The transitional Constitutional Court announced the final results of the presidential election on 1 March, confirming the victory of independent candidate Faustin-Archange Touadéra with 62.69 per cent of the vote over Anicet-George Dologuélé with 37.31 per cent of the vote. The turnout rate was 58.88 per cent. Mr. Dologuélé quickly conceded defeat and called upon his supporters to accept the results of the ballot.

23. The transitional Constitutional Court received 152 appeals relating to the legislative elections. On 14 March, the Court confirmed the victory of 45 candidates (for the 140 seats to be filled in Parliament) by an absolute majority in the first round of elections; regrettably, they included the anti-balaka leader Alfred Yekatom (also known as Colonel Rhombot or Rambo), whose name appears on the list of sanctions drawn up by the Security Council sanctions committee established by resolution 2127 (2013). The inauguration of President Touadéra took place on 30 March 2016. In his inaugural speech, the President stated that his inauguration signalled the return of the Central African Republic to the African and international scene, that security was his highest priority and that he would do everything in his power to enable Central Africans to live in peace throughout the whole of the national territory. He also drew attention to the importance of proper management of public resources and good governance, thereby demonstrating a willingness to break with past practices.

24. President Touadéra appointed his campaign manager, Simplice Sarandji, as Prime Minister on 2 April and his new Government by decree on 11 April. His cabinet, which consists of 23 ministers, includes 4 women and 4 Muslims, who hail from all regions of the country. The Government was generally well accepted by the population. The Independent Expert, while noting that key portfolios were allocated to Muslims and that no member of the armed groups was allocated a ministerial portfolio, regrets the inadequate representation of women in the new Government.

25. On 23 April, the Constitutional Court announced the provisional results of the second round of the legislative elections and confirmed the election of 128 members of Parliament. Of the 140 seats to be filled, only 11 are occupied by women.

26. On 7 June, Prime Minister Sarandji delivered his general policy speech before the National Assembly. His policy is structured around three pillars: security, the disarmament of armed groups and national reconciliation. The Independent Expert notes that these priorities tally with the guidelines laid down at the Bangui Forum and, in particular, the disarmament agreements concluded.

27. The Bangui Forum monitoring committee, which was created in May 2015 to oversee the implementation of the recommendations of the Republican Pact for Peace, National Reconciliation and Reconstruction adopted at the conclusion of the Forum, remained largely invisible during the transition. In his keynote speech, the Prime Minister pledged to create an interministerial committee responsible for implementing the Forum's recommendations. The Independent Expert urges that action be taken in this regard without delay.

B. Security context

28. The security situation in the country is still characterized by the strong presence of armed groups throughout the territory, the threat they pose to civilians and displaced persons living in camps or enclaves, intercommunity tensions, transhumance-related issues, power struggles within armed factions, the widespread circulation of weapons, including weapons other than firearms, crime, the absence of State authorities and the marginalization of the eastern part of the country.

29. Transhumance continues to give rise to violence, as Fulani herders are unable to use the transhumance corridors initially marked out for security reasons. This leads to clashes between arable farmers and livestock breeders who take up arms or seek the protection of armed groups for their flocks.

30. The murder of a Muslim taxi driver in Bangui on 26 September 2015 sparked an outbreak of violence the like of which had not been seen since early 2014. On 28 September, nearly 700 detainees escaped from Ngaragba prison in Bangui, including some high-profile detainees, and the next day 50 detainees escaped from the Bouar detention centre.

31. The PK-5 enclave witnessed scenes of intercommunity violence on 16 and 17 October, which had been orchestrated by anti-balaka or ex-Séléka supporters. On 26 October, a delegation from the ex-Séléka faction, Union pour la Paix en Centrafrique (Union for Peace in Central Africa) (UPC), from Bambari was attacked in Bangui, where it had come at the invitation of the transitional Government to take part in consultations. Three Christian civilians were reportedly killed in retaliation and the situation remained extremely tense between the two communities for several days.

32. The security situation improved from November 2015 to May 2016 with a significant decline in large-scale attacks against civilians and the end of the transition period. On 14 April, the President began a series of discussions with the leaders of the armed factions in order to keep the channels of communication open and to pave the way for a national programme of disarmament, demobilization, reintegration and repatriation, funded by international partners. However, in late June, the Independent Expert noted that the discussions had not led to the conclusion of clear agreements on disarming armed groups and the dismantling of militias.

33. In 2015, 1,151 incidents targeting humanitarian actors were recorded, including attacks on humanitarian convoys, attacks and threats against humanitarian personnel or persons receiving assistance from them and the looting of humanitarian assets. On 18 May 2016, an attack on a convoy belonging to Médecins Sans Frontières (MSF) in Koui, in the prefecture of Ouham-Pendé, resulted in the death of a driver and forced the organization to

suspend its activities in the province. On 17 June, another of the organization's drivers was killed in similar circumstances in the prefecture of Kémo.

34. The security situation deteriorated again in late June during clashes between armed fighters and MINUSCA soldiers in the PK-5 enclave, which resulted in the death of 6 armed men and 15 civilian casualties. On 24 June, a Senegalese peacekeeper was killed by armed men in Bangui. In early July, clashes between the different ex-Séléka factions in Kaga Bandoro once again forced civilians to seek protection in camps for displaced persons protected by international forces. UNHCR has also registered more than 6,000 new refugees from the Central African Republic in Chad and Cameroon since mid-June.

35. The Independent Expert expressed concern about the situation during her previous mission to the country in June and reiterated it in her final press release. She underlined the urgent need to adopt robust measures to halt the fighting, to guarantee the protection of civilians and humanitarian actors and to assist victims and displaced persons.[1] In a press release of 4 July, the United Nations High Commissioner for Human Rights also warned against a possible further deterioration of the security and human rights situation in the country.[2] This "instability carries the risk of a rapid deterioration and underscores the urgent need to disarm armed groups, to restore State authority and the rule of law and to guarantee the security and protection of all civilians.

III. Human rights situation

36. In 2015, MINUSCA reported 1,278 human rights violations which left 1,786 victims. The violations include killings, acts of torture and inhuman and degrading treatment, arbitrary arrest, gender-based violence and acts of racketeering and extortion.

37. Most of the violations are perpetrated by armed groups, which continue to intimidate, threaten and attack any individual or local community group that they accuse of collaborating or being affiliated with a rival armed group. The main armed groups are the anti-balaka, the ex-Séléka faction and the various factions of that movement. The Lord's Resistance Army has also increased its activities and acts of abuse against the local communities since the beginning of the year.

38. The Independent Expert was informed of violations committed by the national security forces, including extrajudicial executions by the staff of the Central African Office for the Suppression of Banditry, among others.

A. Acts of abuse attributed to armed groups

39. Although large-scale attacks against civilians have decreased during this period, the situation remains on a knife-edge and unpredictable. Civilians are still vulnerable in large swathes of the country, especially in the western region, which is controlled by the anti-balaka faction (the prefectures of Nana Mambéré, Ouham-Pendé and Ouham) and in the eastern region, where the main ex-Séléka factions continue to exercise control over the

[1] Press release of 21 June 2016. Available at the following address: www.ohchr.org/FR/NewsEvents/Pages/DisplayNews.aspx?NewsID=20151&LangID=F (consulted on 15 July 2016).

[2] Press release of 4 July 2016. Available at the following address: www.ohchr.org/FR/NewsEvents/Pages/DisplayNews.aspx?NewsID=20229&LangID=F (consulted on 15 July 2016).

territory and its natural resources. In the east, the Lord's Resistance Army threatens civilians and carries out increasingly frequent kidnappings.

40. In the four days following the murder of a young Muslim on 26 September 2015, 77 people were killed, 400 were injured and some 40,000 were displaced.[3] The Human Rights Division of MINUSCA described the violence to be largely sectarian and to have been made possible by the environment of instability and impunity.[4]

41. The Division confirmed the execution of 32 civilians, including 19 men and 13 women, and physical assaults against 1 man and 5 women by members of ex-Séléka factions or their supporters between 26 September and 20 October in Bangui. The vast majority of the victims were Christian, which indicates that the perpetrators selected their targets because of their community.[5] The Division also reported that the anti-balaka faction and its supporters were responsible for the deaths of at least six civilians, including four children, and for the injuries sustained by a further seven. Numerous cases of sexual violence have also been attributed to all the conflicting parties.

42. Several religious buildings were attacked, burned down and looted, even in Bangui. Violent incidents continued during the month of October in Bangui and in the provinces and were sometimes politically motivated. For example, in Bambari, armed men crossed the Ouaka bridge in late September to fight members of an anti-balaka faction. The violence left 11 persons injured and 22 houses were burned down.

43. Armed groups commit human rights violations almost on a daily basis. The following examples show that these violations almost always target a specific community or are part of a struggle between armed factions for territorial control. On 5 January 2016, outside the village of Pakam (Nana Mambéré), armed Fulanis affiliated with the R3 group run by Colonel Siddiki shot and killed a civilian before burning his body. The same group is also allegedly responsible for the death of two men on 21 March during an attack on the village of Ngouvota, near Kaga Bandoro. On 4 March, members of the ex-Séléka/Union Pour la Paix en Centrafrique faction allegedly killed three women from the same family who were returning from their fields 8 kilometres from Bambari, in retaliation for the death of two of their own.

44. As to the violations attributed to members of the anti-balaka group, on 23 October 2015, a shopkeeper was beaten up in Bossangoa by an anti-balaka fighter on the pretext that she was dressed like a member of an ex-Séléka faction. On 16 January 2016, members of the anti-balaka group under the command of Franco Yagbingui allegedly killed a 15-year-old boy during an attack on the village of Ngouvota.

45. Members of armed groups reportedly continue to rape women and girls with impunity. On 23 February, four armed men affiliated with the Révolution et Justice (Revolution and Justice) movement gang-raped a 14-year-old girl who was returning home on foot in the village of Pende (Ouham) before attacking her with machetes. On 26 February, an anti-balaka leader raped a pregnant 25-year-old woman in the Batangafo (Ouham) camp for displaced persons before beating up her husband and two other people who were trying to protect her. MINUSCA subsequently arrested the culprit.

[3] S/2015/918, para. 18. See also the last report of the Panel of Experts on the Central African Republic, which mentions that 79 civilians were killed and 512 injured during this period (S/2015/936, para. 9).

[4] Report entitled "Violations and abuses of International Human Rights and Humanitarian Law committed in Bangui, Central African Republic, between 26 September and 20 October 2015". Available at the following address: https://minusca.unmissions.org/sites/default/files/bangui_report_final_final_french_.pdf (consulted on 15 July 2016).

[5] Ibid., para. 26.

46. The Lord's Resistance Army has become increasingly visible since the beginning of 2016, especially in the south-east of the country, in the prefecture of Mbomou, which is a rich mining area. During the month of January, it was reportedly responsible for nearly 130 instances of hostage-taking, for the deaths of 4 civilians and for the displacement of some 800 people on account of violent incidents. The Independent Expert notes with satisfaction that MINUSCA increased its presence in the area to protect vulnerable populations. However, she remains concerned about the detrimental impact of the possible withdrawal of the African Union forces present in the region to combat the Lord's Resistance Army.

47. The Independent Expert continues to receive numerous reports from civilians who do not feel sufficiently protected by MINUSCA, which often arrives too late on the scene of acts of violence. In early 2016, MINUSCA revised its civilian protection strategy by improving its preventive response and security measures through the introduction of early warning mechanisms. It also increased its local presence by appointing national officers responsible for establishing links with local communities. The Independent Expert encourages MINUSCA to continue its efforts to strengthen protection and to earn the trust of the population.

B. Violations attributed to the national armed forces

48. The Independent Expert was informed of human rights violations committed by certain members of the armed forces of the Central African Republic, acting in support of or in direct affiliation with members of the anti-balaka faction. In its public report on the events of September-October 2015, the Human Rights Division of MINUSCA mentions that it confirmed three extrajudicial executions of civilians, including those of two boys aged 16 and 17, by members of the armed forces of the Central African Republic between 26 September and 20 October in the 3rd and 5th districts of Bangui. The Division also received reports that members of the armed forces of the Central African Republic had extrajudicially executed two civilians presumed to be Muslim in the 5th district of the city.[6]

49. The Independent Expert is concerned about the serious allegations made against the Central African Office for the Suppression of Banditry and its former director, Robert Yékoua-Ketté. The Human Rights Division of MINUSCA reported that the Office was responsible for at least four extrajudicial executions in Bangui since January 2016. Between March and November 2015, MINUSCA had already documented at least 12 extrajudicial executions, including that of a 14-year-old boy. The Independent Expert also has taken note of the report of Human Rights Watch, which mentions that the Office was responsible for 18 unlawful executions from April 2015 to March 2016.[7] The Independent Expert has taken due note of the dismissal of the director in question on 8 June 2016 and calls upon the authorities to launch an investigation into the acts of violence and crimes committed and, if appropriate, to prosecute and punish those responsible, as well as the director. The Office had already been involved in numerous acts of torture, extrajudicial executions and unlawful detention since 2003.

50. The Division also documented other physical assaults on persons by the security forces, including the case of three detainees who were allegedly tortured by gendarmes in Bambari on 29 April 2016 following the murder of an anti-balaka fighter. The detainees were reportedly forced to pay a ransom for their release.

[6] Ibid., para. 55.

[7] Report of Human Rights Watch dated 27 June 2016. Available at the following address: www.hrw.org/fr/news/2016/06/27/republique-centrafricaine-une-unite-de-police-tue-18-personnes-de-sang-froid (consulted on 20 July 2016).

51. Reports of rape have also been received. A member of the Armed Forces of the Central African Republic who was guarding the Bimbo women's prison was arrested for the alleged rape of a 16-year-old girl in the prison in February 2016. The suspect was remanded in custody on 3 March and placed in Ngaragba prison, but, to date, he has not been brought before a judicial authority.

52. Arrests and arbitrary detention remain common owing to the absence of a functioning judiciary, the technical and logistical constraints stemming from the dearth of training for the security forces and the unavailability of the resources necessary to ensure compliance with legal procedures.

53. Several civil society organizations with which the Independent Expert met continue to request the lifting of the embargo and the restoration of the armed forces of the Central African Republic, despite their known deficiencies. These repeated requests point to the civilian population's constant calls for protection, which they consider to be necessary on account of gaps in the protection provided by MINUSCA. The Independent Expert takes note of those requests but also highlights the importance of undertaking a thorough reform of the security sector, of introducing a vetting and validation process to ensure that those responsible for serious human rights violations are not recruited back into the security forces and of creating a responsible, republican and democratic army.

C. Minority rights

54. The situation of minorities has scarcely changed during the period under review. The stigmatization of young Muslims and their lack of prospects often drive them into crime or to join armed groups or areas under the control of ex-Séléka forces in the north of the country. These young people consider themselves second-class citizens.

55. During meetings with PK-5 representatives, the Independent Expert was informed of the lack of social and medical services in an already overcrowded area that continues to receive displaced persons. During her visit in March, the people in the area were already concerned about the return of displaced persons to the PK-5 enclave without suitable provision being made for them.

56. The young people whom the Independent Expert met in the University of Bangui, in the PK-5 enclave, at Kaga-Bandoro, Bossangoa and Ndélé said that, for security reasons, it is still practically impossible for Muslim students to leave the enclaves and return to university. They said they suffered from red tape, entailing discriminatory practices such as demands for additional supporting documents for processing applications, tight registration deadlines that fail to take into account the difficulties young Muslims face in moving around, and even examinations being organized during Muslim religious holidays.

57. Students were also concerned about the long-term consequences of school absenteeism and the high illiteracy rate among young people from Muslim communities, which could lead to long-term discrimination in access to employment.

58. Given the lack of State services in the PK-5 enclave, the association of Central African Muslim professionals took the initiative of setting up a school and educating children on the spot.

59. The Independent Expert urged the authorities to launch awareness-raising campaigns on non-discrimination and living together in order to defuse tension among Central Africans and to condemn discrimination on grounds of ethnicity, which has an impact on population movements or regrouping in already vulnerable neighbourhoods.

D. Refugees and internally displaced persons

60. The ongoing displacement of 421,000 persons in a hundred sites around the country, together with a population of 478,000 Central African refugees in neighbouring countries, shows the fragility of the situation. Displaced persons in Muslim enclaves continue to be especially vulnerable to violence by armed groups, in particular in Bambari and Batangafo. On 3 May 2016, the group coordinating and managing the camps estimated the number of displaced persons on the Batangafo site the country's second largest site in Ouham prefecture to be around 30,500.[8] The main enclaves are located in Kaga Bandoro, Boda, Carnot, Berbérati, Dekoa, Bouar, Yaloké and Bangui (PK-5). Displaced persons are living in very precarious conditions and remain at risk of repeated threats from armed groups and gender-based violence.

61. On 14 May, the President and Prime Minister visited the M'Poko and Bimbo camps for displaced persons. In June, during her meeting with the Minister for Social Affairs and National Reconciliation, the Independent Expert noted that priority will be given to the M'Poko camp to identify appropriate action to ensure that returns are carried out in accordance with international standards. The Minister underlined the importance of adopting a strategy of assistance for the displaced persons of M'Poko in cooperation with all humanitarian partners.

62. The sustainable return of refugees and displaced persons requires a stable and safe environment. The main factors hindering returns are permanent insecurity, destruction of property, lack of trust in the State's ability to protect, fear of renewed violence and lack of opportunities to earn a living.

63. The Independent Expert encourages the authorities to pay close attention to this issue in order to find quick, safe and sustainable solutions.

E. Violence connected with accusations of witchcraft

64. The Human Rights Division continues to document violence committed for the most part by anti-balaka factions against persons accused of witchcraft, and has documented 63 cases since January 2016. Women are the main victims, except in Bangui, where they tend to be children. Acts of abuse have been recorded primarily in the capital and in towns in the west of the country, where the anti-balaka factions dominate, such as Bouar, Baoro and Bossangoa.

65. For example, on 18 September 2015, four women were killed in two villages in the Nana Grebizi prefecture, in the west of the country. The women were tortured, their ears cut off and they were forced to eat them. They were then buried alive after being accused of witchcraft.

66. Despite awareness-raising campaigns conducted by MINUSCA to counter these inhumane practices, the Independent Expert remains concerned about the extent of the problem which, under the guise of charges of witchcraft, actually involves premeditated acts by armed groups, more often than not to extort money from victims.

67. On each visit and in her reports the Independent Expert continues to alert the authorities to these practices. She reiterates her previous recommendations, which include the adoption of measures to launch an awareness-raising campaign to discourage such acts.

[8] *Source*: OCHA, Humanitarian Bulletin, Central African Republic, May 2016. Available at the following address: http://reliefweb.int/sites/reliefweb.int/files/resources/RCA_BH_MAI_2016.pdf (consulted on 20 July 2016).

training on the topic for law enforcement agencies, reviewing and amending existing legal instruments and identifying, arresting and putting on trial the perpetrators of the offences.[9]

F. Gender-based violence

68. During her visits, the Independent Expert was informed of sexual violence and forced marriages, particularly in Ndélé, Kaga Bandoro and Bossangoa. Between 30 November 2015 and 30 June 2016, MINUSCA received 100 reports of conflict-related acts of sexual violence, 78 of which were investigated and determined to be founded. The 78 victims include 34 women, 36 girls, 7 females of unknown age and 1 boy.

69. The true number of these acts of violence is likely to be higher, but the stigma and intimidation faced by the victims, together with the lack of justice, usually deter them from filing complaints.

70. The Independent Expert also received information on cases of gender-based violence recorded between January and October 2015 via the information management system. There were reportedly 60,208 cases of female survivors receiving medical and/or psychosocial care, in accordance with their individual needs; 29,801 of them were victims of sexual violence, although there was no indication as to whether the acts of violence were conflict-related.[10]

71. The discrepancy between these figures reveals the need to step up the attention given by the authorities and the international community to gender-based and sexual violence. The Independent Expert stresses the need for a specific methodology when classifying conflict-related sexual violence.[11] This will make it possible better to assess victims' needs in terms of assistance and more effectively to combat impunity for offences committed and violations of the right of victims to receive justice.

G. Situation of children

72. The situation of Central African children remains worrying. They are victims of violence, including sexual violence, and recruitment by armed groups. They continue to suffer from malnutrition and poor access to health and education services. The lack of routine birth registration also poses long-term problems.

73. The violence in Bangui in September and October 2015 exacted a particularly lethal toll on children, leaving 25 dead and 31 wounded.[12]

74. Many children are kidnapped by the Lord's Resistance Army (LRA) and used to carry off goods stolen in villages or for other support roles. Abducted girls are often kept as sex slaves. The transitional Government and the new Government reportedly at times refused to cooperate with people providing assistance to children who have escaped from the LRA. The authorities reportedly prefer to keep these children in detention so as to interrogate them to extract information on LRA activities, thereby depriving them of the right to humanitarian assistance, including psychosocial and family reunification assistance.

---

[9] See A/HRC/30/59, paras. 60 to 63 and 108 *g*.

[10] http://reliefweb.int/report/central-african-republic/unfpa-fighting-against-gender-based-violence-car-need-inter (consulted on 20 July 2016).

[11] See the provisional guidance notes for implementation of Security Council resolution 1960 (2010). Available at the following address: www.refworld.org/pdfid/4e23ed5d2.pdf provisional (consulted on 20 July 2016).

[12] S/2015/918, para. 34.

75. By December 2015, nearly 5,000 children had been demobilized and between January and April 2016 around 1,298 children were released from armed groups. International actors responsible for child protection have drawn attention to the numerous demobilization-related challenges that vary depending on the armed group into which the children were taken. They have also condemned the lack of care and reintegration programmes; the Independent Expert considers it important to strengthen these in the coming months. She also encourages the establishment of rehabilitation centres for children in conflict with the law.

H. Humanitarian situation, and economic, social and cultural rights

76. The humanitarian situation throughout the country remains alarming. The population of the Central African Republic, which is estimated at 4.6 million, is still affected by the consequences of conflicts and the lack of basic social services. Around 2.3 million persons face food insecurity and require humanitarian aid to survive, and two thirds of the population lack access to health care. Despite a number of voluntary returns, around 20 per cent of the population are still displaced. Furthermore, the humanitarian response plan remains significantly underfunded, with only 17 per cent of the needs met.

77. Violations of economic, social and cultural rights continue, particularly through illegal taxation and the illegal exploitation of natural resources. The Independent Expert was informed that in the areas controlled by the ex-Séléka faction, the militia collect taxes and duties, and provide parallel security and administrative services. The final report of the Panel of Experts on the Central African Republic shows that, throughout the country, armed groups collect revenue from the trade in natural resources.[13] The report indicates that the Union pour la paix en Centrafrique (Union for Peace in Central Africa — UPC) of "General" Ali Darrassa Mahamat thrives on gold production around Bambari, and the coffee trade with the Sudan. The Front populaire pour la renaissance de la Centrafrique (Patriotic Front for the Renaissance of Central Africa — FPRC) of Nourredine Adam levies taxes on the livestock trade in Kabo and Kaga Bandoro, and on the diamond trade in Ndélé, Bria and Sam-Ouandja. The Independent Expert was also alerted to the persistent issue of the plundering of the country's forest resources. A report by the non-governmental organization Global Witness refers to payments by foreign logging companies to anti-balaka factions in order to facilitate timber exports.[14]

78. The pillage and destruction of goods and properties is still a serious issue that must be resolved to enable refugees to return. The International Commission of Inquiry recommended in its report that the transitional Government prepare, in cooperation with the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA), a policy to restore the property rights of persons who had been forced to flee as a result of community violence, and whose homes and land had been taken over by others, or to provide them with compensation.[15]

79. Basic social and health-care services are also inadequate and are sometimes overburdened in areas where the population has increased due to displacements. The inhabitants of Bangui's PK-5 enclave, in particular, have reported a lack of health and maternity centres. Recent surveys conducted in areas such as Dekoa and Obo have

[13] See S/2015/936.

[14] See report entitled *Blood Timber: How Europe played a significant role in funding war in the Central African Republic*, July 2015. Available at https://www.globalwitness.org/en-gb/campaigns/forests/bloodtimber/ (consulted on 20 July 2016).

[15] See S/2014/928, p. 27.

highlighted the almost complete lack of medical services. There is virtually no psychosocial support in the country.

80. MINUSCA and international partners continue to support the implementation of highly labour-intensive projects with the aim of rebuilding social cohesion among divided communities and injecting money into the local economy. The Independent Expert noted the positive impact of these activities and encouraged similar initiatives to boost the economy.

I. Violations attributed to the international forces

81. Further allegations of sexual exploitation and sexual abuse by international forces have been made in 2016.

82. During the reporting period, MINUSCA documented 21 cases of sexual exploitation and sexual abuse allegedly committed by international forces against children. In 19 of these cases, the violations were attributed to MINUSCA peacekeepers, including 7 alleged rapes of girls between 11 and 17 years of age.

83. The United Nations system, including MINUSCA and the Member States, has recognized the importance of effectively combating sexual exploitation and abuse, and has taken urgent steps to minimize the risk of sexual violence, including by confining contingents. The Independent Expert welcomes the appointment in February 2016 of Ms. Jane Holl Lute as Special Coordinator on Improving the United Nations Response to Sexual Exploitation and Abuse.

84. Since early 2016, MINUSCA has reaffirmed its full commitment to the Secretary-General's zero-tolerance policy on sexual exploitation and abuse, and has demonstrated its determination that each allegation be thoroughly investigated, that assistance be provided for the victims, and that the perpetrators be held accountable for their actions.

85. Following the allegations brought to the attention of the Member States of the international contingents and forces concerned, several States dispatched teams of national investigators to inquire into the allegations and to consider measures for the protection of victims.

86. The Independent Expert took note of the decision by the United Nations system to repatriate a national contingent involved in confirmed allegations of sexual exploitation and abuse of women and girls at Bambari. She recalled that the contingents deployed in the Central African Republic had an important mandate to protect civilians, and supported the measures taken against soldiers who seemingly failed to respect that mandate.

87. Victims are at the centre of the response to these violations. All partners that met with the Independent Expert agreed on the principle of non-discrimination in assisting the victims of sexual exploitation and abuse, regardless of the identity of the perpetrators. The Independent Expert urges that this assistance should seek to improve existing social, medical and legal services for all victims.

88. The Independent Expert continues to encourage all national and international stakeholders to recognize the principle of "do no harm" in relation to the victims' interests, and to ensure that they are treated sensitively and with respect for the confidentiality of information, thus guarding against stigmatization.

IV. Transitional justice and mechanism to combat impunity

89. The population continues to express frustration and fear because of the impunity of the perpetrators of serious human rights violations. During meetings with the Independent Expert, civil society representatives reaffirmed the need for constitutional and democratic change to be mirrored by effective efforts to combat impunity, together with the application of, and respect for, the law. However, to date the main commanders of armed groups have gone unchallenged.

90. From 2 to 4 September 2015, the Independent Expert participated in an international seminar on efforts to combat impunity organized by MINUSCA and the Office of the High Commissioner, in collaboration with the Ministries of Justice and National Reconciliation. The seminar was part of the natural follow-up to the recommendations of the Bangui Forum, and aimed to support efforts to combat impunity, to assess the status of judicial and non-judicial responses in the wake of the crisis, and to draft a set of proposals intended as inputs for an overall national strategy to combat impunity. The Independent Expert invites the Human Rights Division to widely disseminate the conclusions and recommendations of the report.

91. In May 2016, the Division and the Office of the High Commissioner launched a project to compile an inventory of the main human rights violations committed in the Central African Republic since 2003. By the end of the year, the project team should have prepared a report that will suggest priority lines of inquiry for the future Special Criminal Court, along with information that will allow the judicial authorities to identify alleged perpetrators of serious violations and to develop a prosecution strategy. The report will also contain guidance for the creation of mechanisms to establish the truth, grant reparations, and offer guarantees of non-repetition.

A. Special Criminal Court

92. The new administration has reiterated its desire to establish the Special Criminal Court, notwithstanding the delay in setting it up. Significant progress has been achieved in appointing the selection committee for national magistrates and in approving the operating budget for the first 18 months, while declarations of interest have been received from several States with regard to the appointment of international magistrates. A joint project by United Nations bodies to support the Special Criminal Court is now being finalized. However, funding for the Court to operate for five years, the recruitment of magistrates, security, the availability of well-trained Central African lawyers and victim and witness protection all present sizeable challenges for the Government in the coming months.

93. Since the Special Criminal Court will complement the ordinary judicial system, synergy should be developed to enable the work of the Court to contribute to building the capacities of the domestic court system.

94. The Independent Expert encourages the national authorities to speed up efforts to operationalize the Special Criminal Court by the end of the year. To that end, the negotiations over the United Nations support project document should be brought to a swift conclusion, in order to proceed with the recruitment of personnel.

B. Non-judicial mechanisms and reconciliation

95. Several initiatives have been taken with a view to reducing intercommunity violence and moving towards reconciliation, but these remain insufficient.

96. In his keynote address, the Prime Minister placed emphasis on national reconciliation and said that no effort would be spared to ensure its realization. He also stated that the Government wished to set up local peace and reconciliation committees in order to foster a culture of peace and human rights.

97. He also committed to establishing a truth, justice, reparation and reconciliation commission in accordance with the recommendations of the Bangui Forum. One year after this important consultation process, the Independent Expert notes that extended thematic consultations are yet to be held, in order to consider these issues in greater depth before the formation of the aforementioned commission, and to place victims at the centre of the design and implementation of transitional justice mechanisms.

98. The Independent Expert considers that it is essential to ensure the safety and protection of victims and witnesses. Where this is not the case, it is likely that victims and witnesses will remain silent on the perpetrators of serious violations.

99. The Pope's visit reassured communities and offered the first signs of hope and opening towards peace and forgiveness. The stated readiness of the inhabitants of PK-5 to move towards reconciliation illustrates the importance of an inclusive dialogue and of popular consultation to alleviate frustration.

100. In his inaugural address, the President made a solemn appeal to all Central Africans for national reconciliation and cohesion, without which there can be no development. His visit to the PK-5 enclave one week after his investiture was appreciated as a sign of the political will to achieve inclusion.

101. Several community-level initiatives to promote dialogue and reconciliation have emerged with the support of the Ministry for National Reconciliation and of international partners. On 11 February, following efforts to promote intercommunity reconciliation, the Muslim communities of the third arrondissement of Bangui and Christians from the Boeing neighbourhood signed a "non-aggression pact" under the auspices of MINUSCA and France. Access to the Muslim cemetery in Boeing has been secured as a result of this agreement.

102. Pending the completion of a detailed, coherent and accepted road map on transitional justice initiatives, it is important to continue to promote the right to truth, including through information-gathering and the documentation of the violations committed. Equally, it is crucial to ensure the preservation, accessibility and use of existing archives.

103. As regards reparations, the Government has instituted 11 May as a day in commemoration of the victims, and intends to erect a memorial. These symbolic actions should be welcomed, and the authorities encouraged to further reflect on establishing a national programme of potential individual and collective reparations, in coordination with the affected communities, particularly victims, women, and marginalized groups. Such a programme should take account of the particular needs of the victims of sexual and sexist violence.

104. Capacity-building is essential to civil society's understanding of transitional justice measures, and will enable it to make a contribution towards truth, justice and reconciliation. Civil society should be able to support victims and witnesses in these transitional justice processes, among other capabilities.

105. Communication — in respect of the various forms of transitional justice — and an inclusive intercommunity dialogue involving displaced persons, refugees, minority groups, young people and women, are crucial tools in restoring social cohesion and taking full ownership of these mechanisms. Consultations with civil society during the previous mission of the Independent Expert revealed frustration and a sense of exclusion among

certain groups. It is through these transitional justice mechanisms that the Central African Republic must renew its social contract and promote coexistence.

106. The Independent Expert underscores the importance of strengthening the links between truth, justice, reparation and guarantees of non-repetition and, more generally, between these measures and the main priorities in terms of security and disarmament. The Government must ensure that transitional justice processes and mechanisms take account of the root causes of the conflict and examine all rights violations. By striving for an integrated and interdependent response to all types of violations, transitional justice may attain the broader objectives of preventing new conflicts, of consolidating peace, and of reconciliation.

C. Court and prison administration

107. Criminal justice remains practically non-existent. Despite commitments by the authorities, no session of the criminal court has taken place since the first session in July 2015, which itself followed almost five years without proceedings. The Independent Expert encourages the authorities to hold a second session as quickly as possible, in order to try defendants whose files are complete and to resolve the question of prolonged pretrial detention. A second session would send a strong signal of the renewal of judicial activity and the struggle against impunity. According to the Minister of Justice, the priority is to support ordinary domestic courts to ensure that they are able to function throughout the country. An emergency plan on justice has been drawn up and funds budgeted, but has not yet received support.

108. In response to the incidents of September and October 2015, the Minister of Justice instructed the authorities to investigate crimes committed after 26 September. The public prosecutor at the court of first instance of Bangui created a special investigation unit for that purpose. On 15 March, the leader of the former Séléka Front populaire pour la renaissance de la Centrafrique (FPRC), Abdoulaye Hissène, was detained in Bangui on the grounds of his purported involvement in September's violence, but was freed by armed elements later that day.[16] To date, no further charges have been brought, or arrests made, under this inquiry.

109. The Central African Republic has 28 ordinary courts (24 courts of first instance, 3 appeal courts and a court of cassation) and 162 magistrates. After the arrival of MINUSCA in September 2014, magistrates were deployed to 12 jurisdictions (Bambari, Bangassou, Berbérati, Birao, Bossembélé, Bouar, Bozoum, Bria, Carnot, Mobaye, Obo and Sibut). However, some redeployed magistrates have been unable to remain in their posting, as at Birao and Ndélé. Others have been appointed but remain in Bangui, considering that difficult conditions or the uncertain security situation prevent their return. Some magistrates have been threatened by armed groups, prohibiting them from taking up their post, as at Ndélé. Many courts were destroyed and looted during the conflict. The fact that the country's 135 lawyers are confined to Bangui raises a challenge for access to justice, and its exercise, in the rest of the country.

110. There is no system for the protection of victims and witnesses, despite the intimidation and insecurity that they face. Civil society organizations claim that victims are unable to testify to violations experienced while they continue to live side-by-side with the perpetrators, and while there is no guarantee of a credible, reliable judicial process.

[16] See S/2016/305, para. 18.

111. The training needs of judicial personnel, including lawyers, are considerable and concern areas such as the role of the examining magistrate, the storage and safekeeping of files, the conduct of victim and witness hearings in criminal cases, and the enforcement of sentences.

112. The prison service was already underdeveloped before the 2013 conflict and it remains barely functional. While administrators have been appointed for the country's 38 prisons, only 7 are taking in detainees and just 11 are staffed: those at Baboua, Berbérati, Bimbo, Boda, Bossangoa, Bossembélé, Bouar, Bria, Kaga Bandoro and Mbaiki, and the central prison at Ngaragba (including the Camp de Roux facility).

113. There are currently five detention centres outside Bangui (Bangassou, Berbérati, Bouar, Bria and Mbaiki), holding about 230 of the country's 600-strong prison population. Infrastructure is generally dilapidated and the food budget is clearly insufficient. Camp de Roux, an annex of Ngaragba prison located on a Central African Republic armed forces base in Bangui, holds 12 high-profile inmates accused of serious crimes. The Independent Expert also notes the existence of several illegal detention centres in parts of the country controlled by armed groups, notably at Kaga Bandoro.

114. Despite the legislation passed in 2012 that provided for the civilian administration of prisons, there are fewer than 60 civilian prison officers, only 8 of whom have received the relevant security training. The armed forces are currently responsible for maintaining security at the prisons of Bangui, Berbérati, Bouar, Bria and Mbaiki, although its personnel are not trained for this purpose. The members of the armed forces responsible for prison security often have close links with the detainees, who are sometimes former members of the armed forces or of the anti-balaka faction. A MINUSCA contingent is currently providing perimeter security to forestall potential attacks.

115. After MINUSCA was put in charge of national prison staffing in Bangui and Bouar, trained female prison officers took over the management of the Bimbo women's prison near Bangui. During her March visit, the Independent Expert expressed concern over the serious allegations of the rape of detainees at Bimbo, and raised the issue with the public prosecutor. The Independent Expert expressed satisfaction that the management of detainees is now the responsibility of female prison officers, trained in prison administration by MINUSCA and the Ministry of Justice. She encourages the authorities to assign more female staff to other detention centres and penal institutions, including in management and administrative positions, and to ensure that they receive an appropriate wage.

116. The public prosecutor at the court of first instance in Bangui highlighted the positive contribution of MINUSCA to prison administration, which had resulted in a gradual demilitarization of detention facilities and a reduction in the number of escapes.

V. Conclusions and recommendations

A. Conclusions

117. **During her previous visit, the Independent Expert noted that civil society was concerned and expressed the hope that the implementation of the Government's first measures would be inclusive and strategic, especially in the field of security and justice. She also noted the frustration and sense of exclusion felt by young people, women and religious communities in Bangui and the country's interior.**

118. **The Independent Expert highlights the importance of ensuring first and foremost the restoration of the State and the protection of civilians, and of embarking**

immediately on the reform of the security sector in order to reassure civilians and enable the launch of other sectoral action plans.

119. She therefore encourages the authorities to implement the road map for action and sectoral action plans as soon as possible, with coordinated support from international partners. She recognizes the importance of implementing measures in the Republican Pact adopted at the Bangui National Forum in May 2015, especially those concerning the efforts to combat impunity and to achieve the inclusion of persons with disabilities and groups that feel marginalized.

120. With regard to non-judicial measures for truth and reconciliation, the Independent Expert emphasizes that broad consultations are crucial for the implementation of a coherent and consensual strategy focused on victims' needs.

121. She recalls that the President and authorities of the Central African Republic bear a heavy responsibility, namely to show their commitment to end impunity and provide access to justice; to give a central role to victims; to conduct the necessary institutional reforms; to establish good governance; and to restore the population's trust in the institutions. She calls on the international community to continue providing coordinated military, financial and technical support to the Central African Republic in order to help the country find a lasting solution to the crisis.

B. Recommendations

122. The Independent Expert reiterates the recommendations contained in her previous report (see A/HRC/30/59, para. 108), most of which remain pending. She calls on the Government, with the support of the international community:

(a) To endorse, as soon as possible, the road maps on disarmament, demobilization and reintegration; to encourage inclusive national reconciliation, including through municipal elections; and to implement the first urgent measures;

(b) To establish victim and witness protection measures without further delay, and to strengthen the judiciary so that it is safe for victims to seek redress in court;

(c) To bring to justice all perpetrators of violations of international humanitarian law and human rights, irrespective of their status or political, religious or ethnic affiliation;

(d) To step up efforts to ensure that the Special Criminal Court becomes operational as soon as possible, by finalizing the United Nations project to support the Court and guaranteeing the selection and appointment of judges and judicial personnel of the highest calibre who are familiar with the legal culture of the country and have experience, in particular in the investigation and prosecution of international crimes;

(e) To strengthen the training of all stakeholders, including judicial personnel, lawyers, the Bar civil society organizations and community leaders and keep them regularly informed about the progress made in the establishment of the Special Criminal Court.

(f) To become more directly and proactively involved in defusing intercommunity tensions and promoting reconciliation and peaceful coexistence through initiatives based on consultations with the communities concerned;

(g) To develop a global strategy to address the legacy of past violations through appropriate transitional justice mechanisms, in accordance with

international legal standards and obligations, placing victims at the core and giving particular attention to abuses committed against the most affected groups, especially women;

(h) To establish conditions under which the informed, voluntary, dignified and sustainable return of refugees and displaced persons and their reintegration into their community is possible;

(i) To prosecute and punish all perpetrators of violations against persons accused of witchcraft, and begin a national debate on the issue, including in respect of existing legislation, to find real solutions that respect universal human rights standards;

(j) To promote initiatives for economic recovery by endorsing and initiating labour intensive projects; to develop an effective strategy to combat and protect against the plundering of natural resources, and to punish traffickers, where appropriate;

(k) To strengthen child protection initiatives and, in particular, initiatives for young persons released from armed groups; to initiate as soon as possible discussions on updating the National Plan for the Protection of Children which will set forth, among others, educational and professional opportunities and support mechanisms for child victims of armed conflict and children released from armed groups;

(l) To establish centres for assisting victims of sexual violence and forced marriage and for teenage mothers;

(m) To take into consideration the conclusions of the report on human rights violations of the Human Rights Division, once finalized, and commit to its broad dissemination.

123. **The Independent Expert recommends that MINUSCA:**

(a) Respond more proactively to threats against civilians and, in particular, be more present in sensitive areas such as displaced persons camps and enclaves where the communities are at risk;

(b) Continue documenting violence and violations of human rights and international humanitarian law and help identify the main perpetrators in order to notify domestic courts and the authorities of the future Special Criminal Court;

(c) Strengthen its good offices and political support for efforts to address the root causes of the conflict and to reduce the influence of armed groups through disarmament, demobilization and reintegration and security sector reform programmes;

(d) Strengthen mechanisms to monitor and communicate information on gender-based and sexual violence and make sure that adequate victim assistance mechanisms reflect the needs identified; ensure the effective implementation of these monitoring mechanisms and promote the publication of reports on cases of violence associated with the conflict;

(e) Continue placing victims at the heart of the response in case of sexual violence, abuse and sexual exploitation, and strengthen efforts to set up protection mechanisms accessible for all victims, whoever the perpetrators of the violations may be;

124. **Addressing the international community, the Independent Expert:**

(a) **Welcomes the efforts made so far, encourages it to step up those efforts and to fund priority programmes, including the Special Criminal Court, security sector reform and disarmament, demobilization and reintegration, paying specific attention to the needs of children associated with armed groups;**

(b) **Recommends that it strengthen its commitment, including with regard to subregional mediation to support the Government in its negotiations with armed groups and stakeholders, with a view to reaching a national consensus on disarmament, demobilization and reintegration and justice and restoring security in the Central African Republic;**

(c) **Recommends that it facilitate the holding of a regional conference on transhumance;**

(d) **Encourages it to fund the humanitarian response plan;**

(e) **Encourages it to further the implementation of measures aimed at preventing abuse, ending the scourge of sexual violence and exploitation by international forces once and for all, conducting related investigations and bringing the perpetrators to justice.**